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Fax No.: 703.872.9306

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Re: U.S. Patent Application No. 10/717,744

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Seed IP Ref.: 340058.534D1

No. of Pages: 4 (including this page)

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### Comments:

Please deliver to Examiner Jason D. Prone, Art Unit 3724.

Attached for filing in the above-identified application are the following documents:

- Transmittal form
- Response After Final (37 CFR 1.116)

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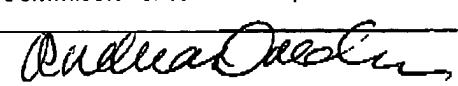
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<b>TRANSMITTAL FORM</b>  <i>(To be used for all correspondence after initial filing)</i>	Application Number	10/717,744
	Filing Date	November 20, 2003
	First Named Inventor	Felice M. Sciulli
	Art Unit	3724
	Examiner Name	Jason D. Prone
	Attorney Docket No.	340058.534D1

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Response <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement; Form PTO-1449 <input type="checkbox"/> Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Declaration <input type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC ( <i>Appeal Notice, Brief, Reply Brief</i> ) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Other Enclosure(s) ( <i>please identify below</i> ): _____ _____ _____ _____
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Firm Name	Seed Intellectual Property Law Group PLLC		Customer Number <b>00500</b>
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Date	January 21, 2005	Reg. No.	35,939

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Signature		
Typed or printed name	Andrea Dolder	Date: January 21, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. 554340\_1.DOC

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RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE - EXAMINING GROUP 3700

PATENT

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1/21/05  
Date

Andrea Dolder  
Andrea Dolder

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Felice M. Sciulli et al.  
Application No. : 10/717,744  
Filed : November 20, 2003  
For : APPARATUS FOR GENERATING A HIGH-PRESSURE FLUID  
JET

Examiner : Jason D. Prone  
Art Unit : 3724  
Docket No. : 340058.534D1  
Date : January 21, 2005

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P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE AFTER FINAL (37 CFR 1.116)

Commissioner for Patents:

In response to the Office Action dated November 8, 2004, applicants respectfully request reconsideration of the application in view of the following remarks. The undersigned wishes to thank the Examiner for his time in discussing the present application.

As discussed with the Examiner, claim 1 is directed to a mixing tube alone, independent of any system in which the tube may be installed, the mixing tube having a collar rigidly fixed to an outer surface of the mixing tube body. In contrast, the mixing tube 87 of

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Reply to Office Action dated November 8, 2004

Chalmers, when viewed independently, *i.e.*, not installed in the system of Chalmers, is a conventional mixing tube body, that does not have a collar rigidly fixed to an outer surface of the mixing tube body. Given that claim 1 does not positively recite a system into which the mixing tube may be installed, but rather simply claims the mixing tube, applicants believe it is inappropriate to rely on the system of Chalmers to obviate the claim, given that the mixing tube of Chalmers must be inserted in the system and the collet must be tightened around the mixing tube to arrive at the structure relied on by the Examiner to reject claim 1. Applicants therefore respectfully submit that claim 1, and the claims that depend therefrom, are allowable over the cited references.

If questions remain, the Examiner is invited to contact the undersigned at the telephone number listed below.

The Director is authorized to charge any additional fees due by way of this Response, or credit any overpayment, to our Deposit Account No. 19-1090.

Respectfully submitted,

SEED Intellectual Property Law Group PLLC



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